

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 24-CR-236

ARLETTA ALLEN,

Defendant.

**SECOND UNOPPOSED MOTION FOR EXTENSION OF
TIME TO FILE REPLY IN SUPPORT OF PRETRIAL MOTIONS**

Arletta Allen, by undersigned counsel, moves this Court for an order extending the deadline for filing her reply in support of her pretrial motions by one week – from July 16, 2025, to July 23, 2025. As grounds for this motion, undersigned counsel states the following:

1. On December 17, 2024, the government obtained a two-count indictment charging Ms. Allen with arson, in violation of 18 U.S.C. § 844(i); and with devising and participating in an insurance fraud scheme, in violation of 18 U.S.C. §§ 1343 and 1349. Doc. 1. As currently charged, Ms. Allen is facing a mandatory minimum sentence of 15 years in prison.

2. Ms. Allen was arraigned on January 13, 2025, before Magistrate Judge Stephen C. Dries, and entered a plea of not guilty. Judge Dries entered an order setting Ms. Allen's conditions of release during the pendency of this case.

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3. Undersigned counsel was appointed to this matter and filed her notice of appearance on January 13, 2025. Doc. 9. Co-counsel, Attorney Craig Albee, filed his notice of appearance that same day. Doc. 8.

4. Following technical difficulties in producing discovery, the government provided discovery materials to defense counsel the following week, on January 22, 2025. The materials, provided on a 1 terabyte drive, contain over 140 GB of video and audio recordings and over 15,000 bates-stamped files.

5. On May 27, 2025, Ms. Allen filed three pretrial motions, including a motion to suppress evidence recovered from the search of her home, vehicle, and restaurant; a motion to suppress evidence recovered from her social media; and a motion to suppress Ms. Allen's statement to law enforcement. Docs. 23 – 25. The parties subsequently sought an amendment of the briefing schedule to allow the parties additional time to confer regarding the need for an evidentiary hearing. Doc. 27. The parties filed a set of stipulated facts on June 17, 2025, Doc. 30, and the government filed its response to Ms. Allen's motions on June 25, 2025, Doc. 32.

6. The Court granted a one-week extension for filing Allen's reply from July 9 to July 16, because both defense attorneys were out of the office for a number of days after receiving the government's response and unable to work on the brief. Defense counsel Moreno was out on July 3 and 4 for the holiday, and defense counsel Albee was out on July 4 for the holiday, out of town for family reasons on July 5-6, out of town at a conference from July 9-12, and in Chicago for family reasons on July 12-13. Defense counsel Moreno also had hearings and deadlines in several other matters requiring her

time and attention between the government's response on June 25, 2025, and the original reply deadline of July 9, 2025, including sentencing hearings on June 26 and June 27, a post-evidentiary hearing brief filed on June 30, a revocation hearing on June 30, a lengthy presentence interview on June 30, among others deadlines and responsibilities.

7. Although they have been working diligently to complete their reply in the additional week provided by the Court, defense counsel unfortunately underestimated the time needed to prepare a reply brief in support of the three motions pending before the Court. The government's response is 40 pages. In addition, the reply in support of Allen's Motion to Suppress Statements requires more extensive preparation, closer to an opening brief than a typical reply, because the original motion sought an evidentiary hearing and included only a short and plain statement of the basis for relief rather than a complete memorandum fully briefing the legal issue. Now that the parties have instead reached a stipulation on the facts, counsel's reply will include more complete arguments on the legal merits of the claim. Further, after being out of the office for a number of days, defense counsel Albee also has other pressing matters to attend to in addition to the reply brief in Allen.

8. Undersigned counsel communicated with Assistant United States Attorney Porchia Lewand today, who indicated the government does not oppose this request.

For these reasons, Arletta Allen respectfully asks this Court to enlarge the time to file her reply until July 23, 2025. Ms. Allen also asks that the Court make the appropriate speedy trial findings.

Dated at Milwaukee, Wisconsin, this 15th day of July, 2025.

Respectfully submitted,

/s/ Dennise Moreno

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